

Adopted	Rejected
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COMMITTEE REPORT

YES:	14
NO:	0

MR. SPEAKER:

*Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1043, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 1, delete "IC 4-1-9" and insert "IC 34-12-3".
- 2 Page 1, line 2, delete "[EFFECTIVE JULY" and insert
- 3 "[EFFECTIVE UPON PASSAGE]:".
- 4 Page 1, delete line 3.
- 5 Page 1, line 4, delete "9" and insert "3".
- 6 Page 1, between lines 7 and 8, begin a new paragraph and insert:
- 7 "**Sec. 2. As used in this chapter, "person" has the meaning set**
- 8 **forth in IC 35-41-1-22."**
- 9 Page 1, line 8, delete "2" and insert "3".
- 10 Page 1, line 8, delete "sections 3 and 4" and insert "**section 5**".
- 11 Page 1, line 8, delete "the" and insert "**a person**".
- 12 Page 1, line 9, delete "state".
- 13 Page 2, delete lines 4 through 7, begin a new paragraph and insert:

1 **"Sec 4. If a court finds that a party has brought an action under**
 2 **a theory of recovery described in section 3(1) or 3(2) of this**
 3 **chapter, the finding constitutes conclusive evidence that the action**
 4 **is groundless. If a court makes a finding under this section, the**
 5 **court shall dismiss the claims or action and award to the defendant**
 6 **any reasonable attorney's fee and costs incurred in defending the**
 7 **claims or action."**

8 Page 2, line 8, delete "4" and insert "5".

9 Page 2, line 8, delete "the" and insert "**a person**".

10 Page 2, line 9, delete "state".

11 Page 2, line 13, delete "the state" and insert "**a person**".

12 Page 2, line 14, after "to" insert "**a person or to**".

13 Page 2, line 14, delete "the state" and insert "**a person**".

14 Page 2, delete lines 16 and 17.

15 Page 2, line 18, delete "(4)" and insert "**(3)**".

16 Page 2, delete lines 20 through 42.

17 Page 3, delete lines 1 through 11, begin a new paragraph and insert:

18 **"SECTION 2. [EFFECTIVE UPON PASSAGE] IC 34-12-3, as**
 19 **added by this act, applies only to actions filed after the effective**
 20 **date of this act.**

21 **SECTION 3. An emergency is declared for this act."**

(Reference is to HB 1043 as introduced.)

and when so amended that said bill do pass.

Representative Lytle